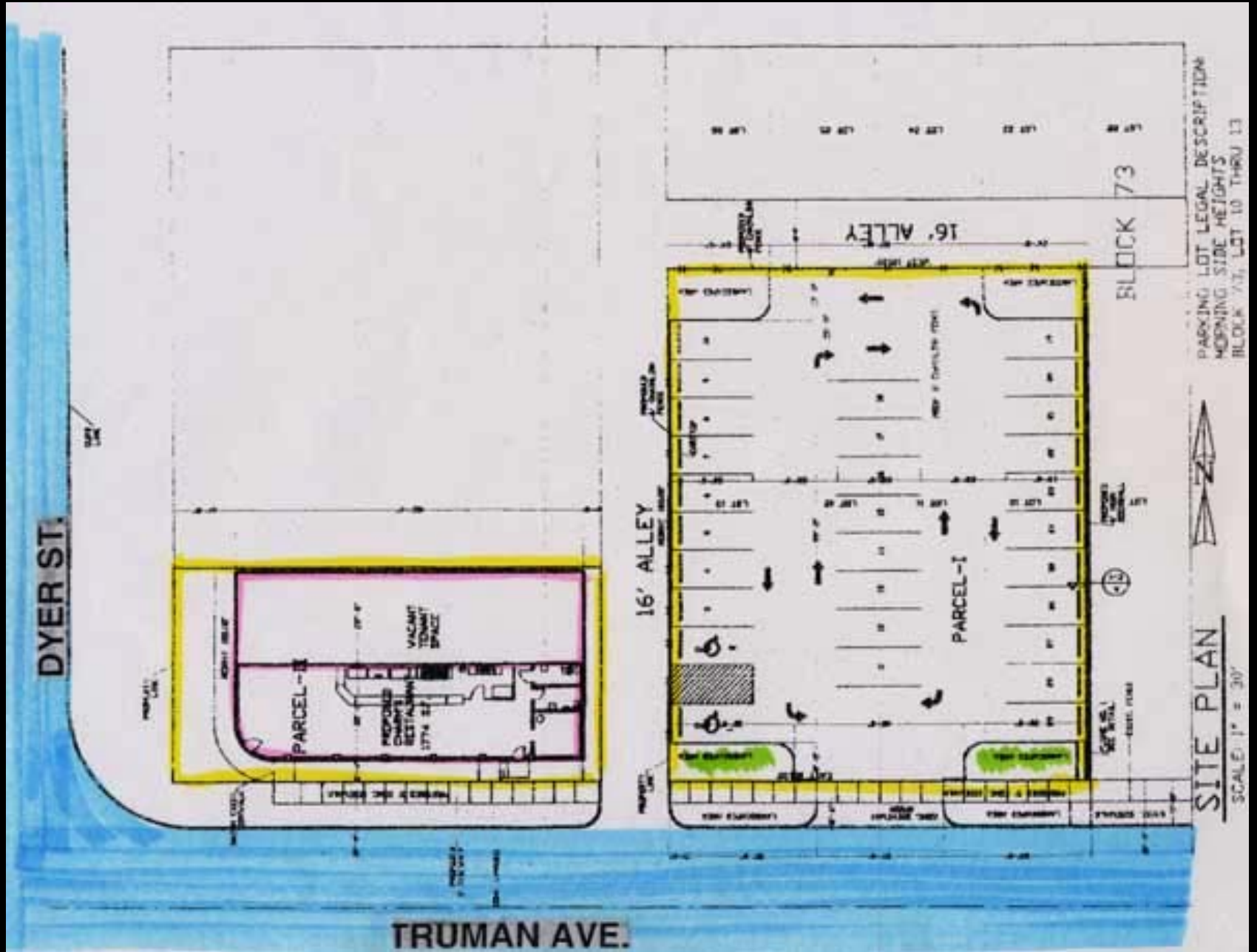


**ZON04-00002**





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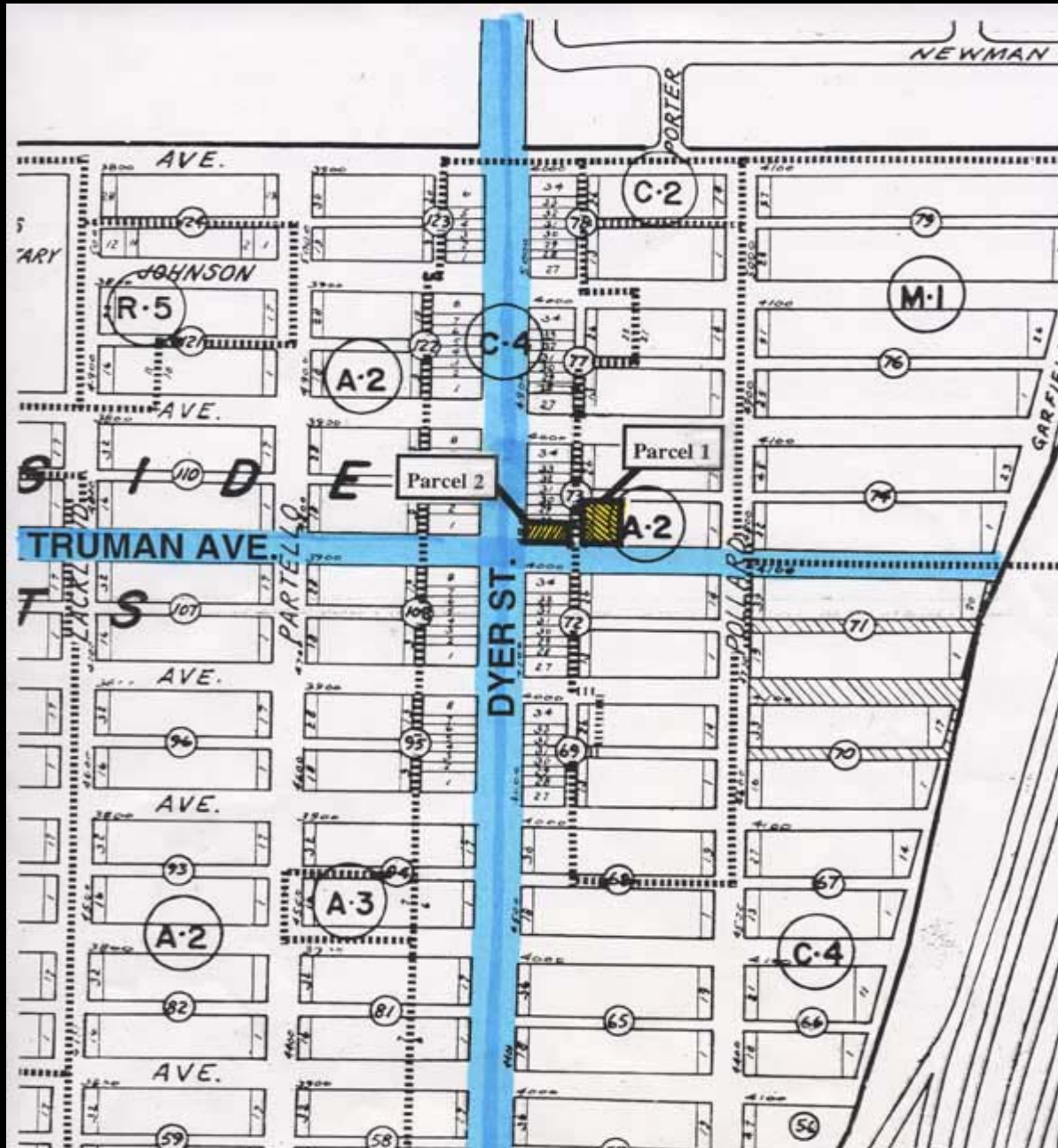
**ZON04-00002**



ZON04-00002







ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00002 TO SATISFY PARKING REQUIREMENTS FOR PARCEL II, DESCRIBED AS THE EAST 101 FEET OF LOT 27, BLOCK 73, MORNINGSIDE HEIGHTS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL I, DESCRIBED AS LOTS 10 - 13, BLOCK 73, MORNINGSIDE HEIGHTS; ALL WITHIN EL PASO, EL PASO COUNTY, TEXAS (4000 BLOCK OF TRUMAN AVE.) PURSUANT TO SECTION 20.22.040. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

WHEREAS, **Willie J. Hannah and Rojana Hannah** have applied for a Special Permit under Section 20.22.040 of the El Paso Municipal Code to allow the off-street parking requirements of Section 20.64.170 to be satisfied off-site;

WHEREAS, the requirements of Section 20.64.170 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Parcel II, which is described as *the East 101 feet of Lot 27, Block 73, Morningside Heights, El Paso, El Paso County, Texas*, is in a C-4 (Commercial) District which requires eighteen (18) off-street parking spaces under Section 20.64.170 of the El Paso Municipal Code;

2. That the City Council hereby grants a Special Permit under Section 20.22.040 of the El Paso Municipal Code so that the off-street parking requirements described in Paragraph 1 of this Ordinance may be satisfied off-site as described in Paragraph 3 of this Ordinance;

3. That Parcel I, which is described as *Lots 10-13, Block 73, Morningside Heights, El Paso, El Paso County, Texas*, is in an A-2 (Apartment) District and is located on a separate site from the property described in Paragraph 1 of this Ordinance;



4. That the City Council hereby grants a Special Permit under Section 20.22.040 so that the property described in Paragraph 3 of this Ordinance may be used as off-site, off-street parking in order to satisfy the parking requirements described in Paragraph 1 of this Ordinance;

5. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) and A-2 (Apartment) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

6. That if at any time the off-street parking spaces described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00002**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

7. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

**PASSED AND APPROVED** this **6th** day of **April, 2004**.

**THE CITY OF EL PASO**

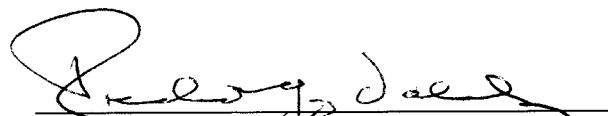
\_\_\_\_\_  
Joe Wardy, Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Kimberly Forsyth, Urban Planner  
Planning, Research & Development

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

## AGREEMENT

**Willie J. Hannah and Rojana Hannah**, the Applicants referred to in the above Ordinance, hereby agree to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the C-4 (Commercial) and A-2 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 19<sup>th</sup> day of February, 2004.

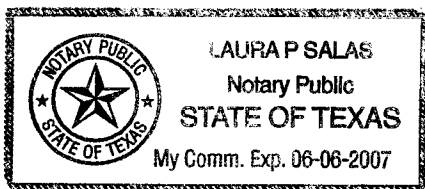
By: Willie J. Hannah  
By: Rojana Hannah

## ACKNOWLEDGMENT

THE STATE OF TEXAS    )  
                                      )  
COUNTY OF EL PASO    )

This instrument is acknowledged before me on this 19<sup>th</sup> day of February, 2004, by Willie J. Hannah and Rojana Hannah as Applicants.

My Commission Expires:



Laura P. Salas  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Laura P. Salas